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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,203	05/11/2001	Chien-Fa Wang	3158/OJ344	7920

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RABIN & CHAMPAGNE, PC
1101 14TH STREET, NW
SUITE 500
WASHINGTON, DC 20005

EXAMINER

HAROLD, JEFFEREY F

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 10/06/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,203

Applicant(s)

WANG, CHIEN-FA

Examiner

Jefferey F. Harold

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-11,13-17,19 and 21-25 is/are rejected.
- 7) ☒ Claim(s) 2,3,5,10,12,18,20 and 26 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/1/02 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. ***Claims 1, 4, 8, 9, 11, 15-17, and 21-25*** are rejected under 35 U.S.C. 102(b) as being anticipate by Kim (United States Patent 5,966,436).

Regarding **claim 1**, Kim discloses a redialing method. In addition, Kim discloses a process of phone dialing for a dial device, consisting of the steps of:

checking whether any dial key signal of the dial device is inputted, as disclosed at column 2, lines 39-60;

sequentially storing a plurality of key input signals corresponding to a plurality of dial key signals in memory and inherently storing in sequence the order, which reads on claimed "label value", of the dialed key signal in memory when any dial key signal of the dial device is inputted and the dial is not connected, as disclosed at column 3, lines 1-44 and exhibited in figure 2;

sequentially storing a plurality of values corresponding to a plurality of dial key signals in the memory and sequentially storing the time value in the memory when any dial key signal of the device is inputted and the dial device is connected, as disclosed at column 3, lines 1-44 and exhibited in figure 2, further Kim does not differential between connected and not connected. The keyed inputs, sequence of inputs and the time

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interval between the inputs are stored in memory, as disclosed at column 4, line 16 through column 5, line 3.

Regarding **claim 4**, Kim discloses everything claimed as applied above (see claim 1), in addition Kim discloses wherein the time value denotes a time interval between the dialed key signals, as disclosed at column 3, lines 1-44.

Regarding **claim 8**, Kim discloses everything claimed as applied above (see claim 1), in addition Kim discloses checking whether a redial key signal of the dialed device is inputted,

sequentially sending the dial key signals corresponding to the values for dialing when the redial key signal is inputted,

wherein the dial keys are delay and not delayed based on the time interval stored in memory, as disclosed at column 4, line 16 through column 5, line 13.

Regarding **claims 11, 15-17 and 21-25**, Kim discloses everything claimed, in addition claims 11, 15-17 and 21-25 are interpreted and thus rejected for the reasons set forth above in the rejection of claims 1, 4 and 8.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 6, 7, 13, 14, 19, 20**, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of well know prior art (MPEP 2144.03).

Regarding **claim 6**, Kim discloses everything claimed, as applied above, (see claim 1), however, Kim fails to disclose wherein the dial device is a phone. However, the examiner takes official notice of the fact that it was well know in the art to provide wherein the dial device is a phone.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kim by specifically providing wherein the dial device is a phone, for the purpose of initiating telephone communication with a second party.

Regarding **claim 7**, Kim discloses everything claimed, as applied above, (see claim 1), however, Kim fails to disclose wherein the dial device is a modem. However, the examiner takes official notice of the fact that it was well know in the art to provide wherein the dial device is a modem.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kim by specifically providing wherein the dial device is a modem, for the purpose of initiating data communication with a second party.

Regarding **claims 13, 14, 19 and 20**, Kim discloses everything claimed, in addition claims 13, 14, 19 and 20 are interpreted and thus rejected for the reasons set forth above in the rejection of claims 6 and 7.

Allowable Subject Matter

3. ***Claims 2, 3, 5, 10, 12, 18, and 26*** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

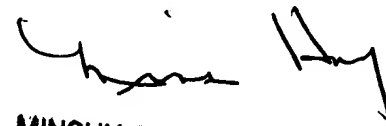
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



JFH
September 23, 2003



MINSUN OH HARVEY
PRIMARY EXAMINER